CLASSIFICATION OFFICE DECISION

Title of publication:	day 10
Other known title(s):	Not stated
OFLC ref:	1000035.000
Medium:	Computer Image File Printout
Publisher:	Not stated
Country of origin:	Not stated
Language:	Not applicable
Applicant:	Commissioner of Police
Classification:	Objectionable.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	16 February 2010
Date of direction to issue a label:	No direction to issue a label has been issued

Summary of reasons for decision:

The computer image file printout is deemed objectionable because it promotes and supports the exploitation of children for sexual purposes.

The publication is a printout of an image that depicts a semi-naked girl who appears to be approximately 8-9 years old. She bends over, facing the camera, and a semi-naked man stands directly behind her. Sexual activity is strongly implied by the positions of the two figures and by the expression of discomfort on the girl's face. The purpose of the image is sexual titillation and arousal and it is clearly likely to appeal to people with a sexual interest in young persons. The availability of such material creates or reinforces a sexual interest in vulnerable children and encourages their sexual exploitation.

The classification of this publication interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's intention and is a reasonable limitation on the freedom of expression. The classification reflects the concern of a free and democratic society to protect young and vulnerable people from sexual exploitation.